

*filed in  
open  
court  
3/3/04*

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA )  
 )  
 v. ) CRIMINAL NO. 03-10350-RCL  
 )  
 HABEEB ADEOLA AZEEZ )

**JOINT SUBMISSION OF THE PARTIES UNDER L.R. 116.5(C)**

Pursuant to Local Rule 116.5(C), the parties state as follows:

(1) Outstanding Discovery

There are no outstanding discovery issues not yet presented to or resolved by the Court.

(2) Additional Discovery

The parties do not anticipate providing any additional discovery, aside from discovery required to be produced at a later date pursuant to the Local Rules governing discovery and Fed. R. Crim. P. 16.

(3) Insanity or Public Authority Defenses

Defendant does not intend to raise a defense of insanity or public authority.

(4) Notice of Alibi Defense

The government has requested notice of alibi, and defendant does not intend to offer an alibi defense.

(5) Motions Requiring Ruling by District Court

In the event the parties are unable to reach a plea agreement, Defendant intends to file a motion to suppress on or

before April 2, 2004.

(6) Scheduling and Plea Negotiations

The parties continue to discuss the possible resolution of this matter short of trial, and require an additional two weeks to determine whether the plea negotiations will be successful.

(7) Periods of Excludable Delay

In addition to the periods previously excluded by this Court's orders dated December 3, 2003 and January 13, 2004, there are thirteen (13) days of nonexcludable time under the Speedy Trial Act (December 31, 2003 to January 12, 2004), and fifty-seven (57) days remaining under the Speedy Trial Act within which this case must be tried. The parties hereby request that the period between today's status conference (March 3, 2004) and the date of any subsequent status conference be excluded from the calculations of the Speedy Trial Act, in the interests of justice.

(8) Anticipated Length of Trial

It is anticipated that a trial will last one week.

(9) Date for Future Status Conferences

The parties respectfully request that the final status conference be rescheduled to March 17, 2004.

Respectfully submitted,

PAIGE KELLY, Esquire

MICHAEL J. SULLIVAN  
United States Attorney

  
for defendant HABEEB AZEEZ

By:

  
DICKENS MATHIEU  
Assistant U.S. Attorney